HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.6120 of 2007

Dated:06.08.2007

Between:

Buddha Satyanarayana.

…Petitioner.

and

The District Collector, and another.

…Respondents.

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.6120 of 2007

ORDER:

The petitioner is the owner of an extent of 0.31½ cents of wet-land in survey No.1562/2 of Anakapalle Town. He was also issued pattedar pass book and title deed by the revenue authorities. The petitioner wanted to sell the property, and accordingly, executed a sale deed in favour of the intending purchaser on 06.12.2006 and presented it before the 2nd respondent, for registration. It was assigned a pending number, being P-202/2006. Thereafter, the 2nd respondent addressed a letter, dated 11.12.2006, to the District Collector, Visakhapatnam, seeking confirmation on the pass books issued by the Mandal Revenue Officer, Anakapalle. The grievance of the petitioner is that the document has not been released, though several months have elapsed.

Heard learned Counsel for the petitioner land learned Government Pleader for Revenue.

In the process of verification, as to the genuinity of the title deed and pattadar pass book, relied upon by the petitioner, the 2nd

respondent spent nearly seven months. It was not as if any individual or an official of the Government complained that the petitioner is not the owner of the property. Today, the learned Government Pleader had placed before this Court a copy of the telegram issued, by the Mandal Revenue Officer, to the effect that the land in survey No.1562/2 is classified as 'Zeroyithi wet-land' and it is not assigned or Government land.

There would have been some justification for the 2nd respondent to entertain a doubt, had it been a case where the land was shown in the records as the one belonging to the Government in any manner. When the record does not disclose so, there was absolutely no justification for the 2nd respondent in keeping the document pending for such a long time. Further, the pattadar pass books, issued under the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, are to be taken on their face value.

For the foregoing reasons, the Writ Petition is allowed and the 2nd respondent is directed to process the document, presented by the petitioner, and complete the necessary steps, within a period of ten days from the date of receipt of a copy of this order. There shall be no order as to costs.

Dt.06.08.2007 **L.NARASIMHA REDDY, J**

GJ